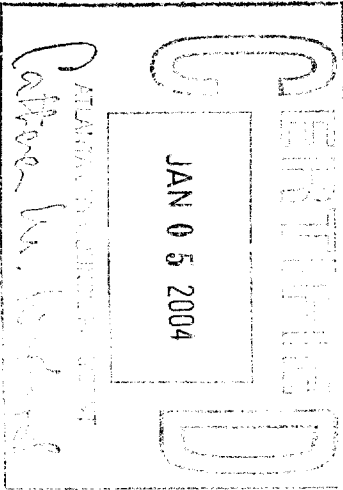


Entered 6-15-99-sb
CL 99L0346 - GWENDOLYN BURNS

03-*L*-2207

CLAIM OF: CLETA D. PAIGE-CAIN
3725 Belle Oaks Drive
Antioch, Tennessee 37013

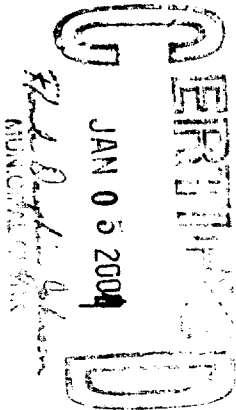
For bodily injuries alleged to have been sustained
from stepping into an open water meter box on
April 3, 1999 at Buckhead Avenue, NE & Bolling
Way, NE.



THIS ADVERSED REPORT IS
APPROVED

BY: _____

JERRY L. DELOACH
DEPUTY CITY ATTORNEY



ADVERSED
JAN 05 2004

ADVERSE REPORT
PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE _____

CHAIR: _____

[Handwritten signatures]



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

January 14, 2004

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

Cleta D. Paige-Cain
3725 Belle Oaks Drive
Antioch, Tennessee 37013

03-R-2207

Dear Ms. Paige-Cain:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on January 05, 2004. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: **Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0346

Date: November 24, 2003

Claimant /Victim CLETA D. PAIGE-CAIN
BY: (Atty) (Ins. Co.) _____
Address: 3725 Belle Oaks Drive, Antioch, Tennessee, Georgia 37013
Subrogation: Claim for Property damage \$ _____ Bodily Injury \$ unspecified
Date of Notice: 6/7/99 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 4/3/99 Place: Buckhead Avenue, NE & Bolling Way, NE
Department _____ Division _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges that she sustained bodily injuries when she stepped into an open water meter box. However, an investigation determined that United Water Services Atlanta, Inc. was responsible for the maintenance of the Atlanta water system at the time of claimant's incident. The claim was forwarded to United Water Services Atlanta, Inc. for resolution.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other _____
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

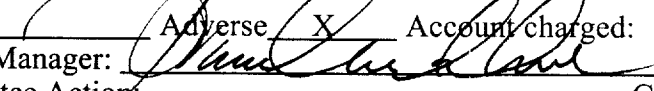
BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial _____
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____
City not involved X Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR, GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2P01 _____ 2H01 _____
Claims Manager:  Concur/date 11/25/03
Committee Action: _____ Council Action _____

RCS# 5288
1/05/04
3:23 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PG 1-9 EXCEPT;02-O-2087,
 03-R-2173
 ADOPT

YEAS:	10
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	6
EXCUSED:	0
ABSENT	0

Y Smith	NV Archibong	Y Moore	NV Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	NV Maddox	Y Willis
Y Winslow	NV Muller	NV Boazman	NV Woolard

CONSENT I

1-05-04 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-2225 2. 03-O-2161 3. 03-O-2221 4. 03-O-2175 5. 03-O-2229 6. 03-R-2171 7. 03-R-2214 8. 03-R-2215 9. 03-R-2233 10. 03-R-2219 11. 03-R-2172 12. 03-R-2174 13. 03-R-2176 14. 03-R-2246 15. 03-R-2247 16. 03-R-2248 17. 03-R-2226 18. 03-R-2232 19. 03-R-2237 20. 03-R-2178 21. 03-R-2181 22. 03-R-2182 23. 03-R-2183 24. 03-R-2184 25. 03-R-2185 26. 03-R-2186 27. 03-R-2187 28. 03-R-2188 29. 03-R-2189 30. 03-R-2190 31. 03-R-2191	32. 03-R-2192 33. 03-R-2193 34. 03-R-2194 35. 03-R-2195 36. 03-R-2196 37. 03-R-2197 38. 03-R-2198 39. 03-R-2199 40. 03-R-2200 41. 03-R-2201 42. 03-R-2202 43. 03-R-2203 44. 03-R-2204 45. 03-R-2205 46. 03-R-2206 47. 03-R-2207 48. 03-R-2208 49. 03-R-2209 50. 03-R-2210